

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

SB 1564 - HB 1528

January 20, 2016

SUMMARY OF BILL: Adds domestic assault and child abuse, neglect, and endangerment to the list of offenses for which pretrial diversion is not permitted.

ESTIMATED FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- Under Tenn. Code Ann. § 40-15-105, a “qualified defendant” may receive pretrial diversion. Tenn. Code Ann. § 40-15-105(a)(1)(B) defines “qualified defendant” for purposes of pretrial diversion. Certain offenses are specifically excluded from eligibility for pretrial diversion.
- The bill adds domestic assault and child abuse, neglect, and endangerment to the list.
- The bill changes sentencing procedures for pretrial diversions. It will not increase the number of cases in the courts. Further, incarceration is not a permissible condition of pretrial diversion. The bill will not increase local incarceration costs.
- It is assumed that the bill will not significantly impact the courts, district attorneys, and public defenders.
- The Administrative Office of the Courts, the District Attorneys General Conference, and the District Public Defenders Conference confirm that the bill will not significantly impact their caseloads or operations. Any impact can be accommodated within their existing resources.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in blue ink that reads "Krista M. Lee".

Krista M. Lee, Executive Director

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